



THE FOLLOWING ORDER  
IS APPROVED AND ENTERED  
AS THE ORDER OF THIS COURT:

DATED: January 4, 2018

  
Susan V. Kelley

Chief United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

---

In re  
Todd J. Kompas,  
Debtor.

Chapter 13  
Case No. 17-28883-svk

---

**ORDER ON DEBTOR'S MOTION TO AUTHORIZE LEASE OF PROPERTY**

---

The Court held a hearing on January 2, 2018 on the Objection of Brew City Countertops and Millwork, Inc. ("Brew City") to the Debtor's Motion for Authorization to Lease. Mont L. Martin appeared for the Debtor, Tom Schneck appeared for Brew City, and Ronald Uecke, president of Brew City was also present on the telephone. After considering the pleadings and the arguments of counsel, the Court determined that this matter should be adjourned to be considered concurrently with the hearing on the Objection to Confirmation of the Debtor's Plan filed by Mitchell Bank on January 23, 2018 at 1:00 p.m. at the United States Courthouse at 517 East Wisconsin Avenue, Room 167, Milwaukee, Wisconsin.

Attorney Martin requested that pending the January 23, 2018 hearing, Brew City should be required to pay rent, but Attorney Schneck expressed concern that Brew City should not have to pay rent twice in light of the claim of Mitchell Bank. The Court determined that effective for the rent payment due in November 2017 through the date of the hearing on January 23, 2018, Brew City should pay rent to the Debtor, without prejudice to the rights of Mitchell Bank to argue that rents paid are cash collateral which should not be spent without the Bank's consent or a further order of the Court.

IT IS THEREFORE ORDERED: Brew City is authorized and ordered to pay to the Debtor the rent due under the month to month lease for the months of November and December 2017 and January 2018, without prejudice to the rights of Mitchell Bank as stated in this Order.

#####